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we cannot refrain from repeating the opinion expressed in our notice of the first volume,<sup>2</sup> that every law school should have several sets of these essays upon its shelves, and that every practicing lawyer should have them accessible for constant reference.

F. M. B.

THE CONTROL OF PUBLIC UTILITIES. IN THE FORM OF AN ANNOTATION OF THE PUBLIC SERVICE COMMISSION LAW OF THE STATE OF NEW YORK. By WILLIAM M. IVINS and HERBERT DELAVAN MASON. New York: BAKER, VOORHIS & Co., 1908. pp. lxxx, 1149.

The adoption of new modes of locomotion which, coupled with the advance in the industrial arts, had radically altered and given much increased importance to the economic position of the transporter of goods, also unbalanced the common law of carriers. The judges, guided always by a healthy sense of public policy and adherence to principle, reacted admirably to the stress imposed by controversies which sometimes arose out of the oppression of shippers by an all powerful carrier, and sometimes out of a discrimination against shippers practiced by carriers impotent under the threats of a monarch of industry. But it became apparent that the work of the courts alone was insufficient to regulate the new and relatively unbridled activities of carriers; for while each particular cause might be satisfactorily disposed of, yet each new phase of the new legal problem was made the subject of stubborn legal dispute. Legislation was, therefore, at first resorted to mainly to settle definitely the application of certain general principles which had been announced by the courts but which were continually subjected to attack. Later, governmental agencies were established to deal with phases of the carrier problem which were too burdensome or unfit for judges whose main office, after all, was that of deciding non-public controversies; and it is such a law, enacted for the State of New York, which the authors have adopted for their text.

Realizing that the Act was an expression or modification of previously recognized principles, the authors have given a recital of important cases bearing on the problems with which the Act seeks to cope. The selection is satisfactory; and the annotation of any particular point forms an excellent means for more minute investigation. The form of the book makes it difficult, indeed impossible, to maintain any consecutive presentation; but the consequent difficulty of finding the discussion of a particular point is mitigated by the full index. The book contains also the Federal Interstate Commerce Act, the Rapid Transit Act, and the Rules of Practice of the two Public Service Commissions. The authors are to be highly commended for having presented to the profession a book which must lead to a scientific study and application of the new statute, while giving at the same time a tool to the practitioner to enable him to deal with the new situations which it has created.

A. B. S.

BRIEF MAKING AND THE USE OF LAW BOOKS. By WILLIAM M. LILE, HENRY S. REDFIELD, EUGENE WAMBAUGH, EDSON R. SUNDERLAND, ALFRED F. MASON and ROGER W. COOLEY. Edited by ROGER W. COOLEY. Second Edition. St. Paul, Minn.: WEST PUBLISHING Co. 1909. pp. xii and 574.

<sup>2</sup> COLUMBIA LAW REVIEW 61.

The chief titles treated in this book are "Where to Find the Law," under which head are described and listed the Statutes and reports of this country and England: "How to Find the Law," in which the method of using text books, encyclopædias and digests is fully set forth: "The Trial Brief," describing the course of investigating legal material in preparing for trial and the method of assembling that material in a "brief."

In appendices are set forth in detail the main heads of the standard classification scheme of the modern American digests, and a full list of abbreviations of law publications.

The first edition of this book had a wide sale. This is an enlarged and improved edition with changes to conform to the views of teachers and practitioners who have used the first edition, and can be recommended as a useful *vade mecum* for student and practitioner in the beginning of his career.

N. A.

#### BOOKS RECEIVED:

THE EVOLUTION OF LAW. By HENRY W. SCOTT. New York: THE BORDEN PRESS PUBLISHING CO. 1908. pp. 165.

THE COURTS OF THE STATE OF NEW YORK. By HENRY W. SCOTT. New York: WILSON PUBLISHING CO. 1909. pp. 506.

EQUITY. By F. W. MAITLAND. Cambridge: UNIVERSITY PRESS. 1909. pp. xv, 412.

DRAWING WILLS AND THE SETTLEMENT OF ESTATES IN PENNSYLVANIA. By JOHN MARSHALL GEST. Philadelphia: J. W. JOHNSON CO. 1909. pp. xx, 152.

CONSOLIDATED LAWS OF THE STATE OF NEW YORK. Official Edition. Albany: J. B. LYON CO. 1909. 5 vols. Vol. I, pp. lvii, 1 to 800; Vol. II, pp. 801-1680; Vol. III, pp. 1681-2530; Vol. IV, pp. 2531-3500; Vol. V, pp. 3501-4547.

THE LEGISLATION OF THE EMPIRE, 1898-1907. Edited by C. E. A. BEDWELL. London: BUTTERWORTH & CO. 1909. 4 vols. Vol. I, pp. xxxv, 545; Vol. II, pp. x, 482; Vol. III, pp. x, 528; Vol. IV, pp. 231.

A TREATISE ON THE LAW OF LANDLORD AND TENANT. By H. C. UNDERHILL. Chicago: T. H. FLOOD & CO. 1909. 2 vols. Vol. I, pp. ccxxxiv, 670; Vol. II, pp. 671 to 1516.

THE LAW OF GUARANTY INSURANCE. By THOMAS GOLD FROST. 2d Ed. Boston: LITTLE, BROWN & CO. 1909. pp. liv, 802.

CASES ON CRIMINAL LAW (AM. CASE BOOK SERIES). By WILLIAM E. MIKELL. St. Paul, Minn.: WEST PUBLISHING CO. 1908. pp. xviii, 610.

THE FIXED LAW OF PATENTS. By WILLIAM MACOMBER. Boston: LITTLE, BROWN & CO. 1909. pp. cxlv, 925.

THE POWER OF EMINENT DOMAIN. By PHILIP NICHOLS. Boston: BOSTON BOOK CO. 1909. pp. xxi, 560.

THE LAW OF PERSONS AND DOMESTIC RELATIONS (HORNBOOK SERIES). By WALTER TIFFANY. 2d ed. by ROGER W. COOLEY. St. Paul, Minn.: WEST PUBLISHING CO. 1909. pp. xiii, 656.

THE FEDERAL EMPLOYERS' LIABILITY AND SAFETY APPLIANCE ACTS. By W. W. THORNTON. Cincinnati: THE W. H. ANDERSON CO. 1909. pp. xlvii, 410.